



EXPRESS MAIL NO. 490 490 408 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: McCullough, J.R. et al.

Serial No.: 09/039,260

Art Unit: To Be Assigned

Filed: March 16, 1998

Examiner: To Be Assigned

For: METHODS FOR TREATING
DISORDERS USING
DESCARBOETHOXYLORATADINE
(AS AMENDED)

Attorney Docket No.: 4821-306

INFORMATION DISCLOSURE STATEMENT RECEIVED
UNDER 37 C.F.R. §1.56 and §1.97

APR 13 1998

Assistant Commissioner for Patents
Washington, D.C. 20231

MATRIX CUSTOMER
SERVICE CENTER

Sir:

In accordance with the duty of disclosure imposed by 37 C.F.R. § 1.56 and § 1.97 to inform the Patent Office of all references coming to the attention of each individual associated with the filing or prosecution of the subject application, which are or may be material to the patentability of any claim of the application, Attorneys for Applicants hereby direct the Examiner's attention to the references (AA-BY) listed on the attached revised form PTO 1449 entitled "List of References Cited by Applicant."

The above-identified application is a divisional of Serial No. 08/783,393, filed January 13, 1997, which is a divisional of Serial No. 08/366,651, filed December 30, 1994. References (AA-BM) were previously made of record in the file history of Serial No. 08/783,393, and Serial No. 08/366,651. Pursuant to 37 C.F.R. §1.98(d) and additionally as to not overly burden the Examiner, copies of references (AA-BM) have not been included herein in as such copies are available in the files of the applications

listed above. However, if the Examiner would prefer, copies of all the identified references will be provided upon request. A legible copy of references (BN-BY) are submitted herewith.

Identification of the listed references is not to be construed as an admission of Applicants or Attorneys for Applicants that such references are available as "prior art" against the subject application. Consequently, Applicants respectfully decline to use form PTO-1449, since this form identifies all of the references cited therein as "Prior Art". As an alternative, Applicants submit herewith several pages of a "revised form PTO 1449" entitled "List of References Cited" instead of "List of Prior Art Cited".

Applicants respectfully request that the Examiner review the foregoing references and that the references be made of record in the file history of the application.

Pursuant to 37 C.F.R. § 1.97(b)(3), it is estimated that no fee is due, as this Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits. Please charge the required fee to Pennie & Edmonds LLP Deposit Account No. 16-1150. A copy of this sheet is enclosed for accounting purposes.

Respectfully submitted,

By *Anthony M. Chmecine* (Reg. No 35,203)

Stanton T. Lawrence, III 25,736
Stanton T. Lawrence, III (Reg. No.)

Date: April 8, 1998

PENNIE & EDMONDS LLP
1155 Avenue of the Americas
New York, New York 10036-2711
(212) 790-9090